

COPY OF PAPERS ORIGINALLY FILED

Dkt. 62164/JPW/PJP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Xin Qu & Judah Z. Weinberger

Serial No.

09/657,701

Filed

September 8, 2000

For

POLYMER MODIFICATION OF

RADIOISOTOPE CARRIERS

1185 Avenue of the Americas New York, New York 10036 January 7, 2002

Assistant Commissioner for Patents Washington, DC 20231

SIR:

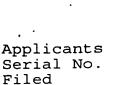
REQUEST FOR RESETTING TIME PERIOD FOR RESPONSE AND REVIVAL OF APPLICATION IN VIEW OF NON RECEIPTS OF PATENT AND TRADEMARK OFFICE COMMUNICATION, OR IN THE ALTERNATIVE, PETITION TO REVIVE

In accordance with MPEP § 711.03(c) Section, II, applicant hereby requests that the subject application be revived and the period for responding to the Notice of Missing Parts, apparently issued November 29, 2000, be reset.

As set forth in the Declarations of Wendell Dunn and Peter J. applicants' attorneys Phillips enclosed herewith, established docketing procedures for communications received from the Patent and Trademark, but have no record of having received the Notice, in either its docket records or application file.

Applicants respectfully request that the application be revived and the period be reset for responding to the Notice, without any petition or other fee being due by applicant, because applicant

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Xin 09/657

Z. Weinberger

September 8, 2000

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was not at fault, having not received the Notice or been aware of its issuance until December 5, 2001. In the event that the Patent and Trademark Office deems a Petition to be required to obtain the requested relief, applicant hereby petitions for such relief and authorizes the fee in connection therewith to be charged to deposit account no. 03-3125. $\overline{\overline{}}$

If the Patent and Trademark Office has any questions regard this Request/Petition, kindly telephone the undersigned afforne

Respectfully submitted,

Registration No. 28,678

Registration No. 29,691 Attorneys for Applicants

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with

sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20221

PMillips

Reg. No. 29,691

7-02

New York, New York 10036

1185 Avenue of the Americas

(212) 278-0400

Cooper & Dunham LLP

John P. White

Peter J. Phillips



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> 1185 Avenue of the Americas New York, New York 10036

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SIR:

DECLARATION OF PETER J. PHILLIPS

- I, Peter J. Phillips, hereby declare:
 - I am and have been since 1990 a partner at Cooper & 1. Dunham LLP, and have been admitted to practice before the U.S.P.T.O ("PTO") as a registered attorney since 1979.
 - I have responsibility for the above-identified patent 2. application, which I filed in the PTO on September 8, 2000.
 - Prior to December 5, 2001, the only communication 3. which I recall receiving from the PTO is a return attached. The postcard, а copy of which is application file for this application which I maintain contains no other communication from the PTO.

Applicants Serial No. Xin Qu & Judah Z. Weinberger

erial No. : 09/657,701

Filed : September 8, 2000

4. On December 5, 2001, after I instructed my secretary

to make an making inquiry to the PTO regarding the status of the application, I learned for the first time that the PTO had apparently issued a Notice of Missing Parts on November 29, 2000, and the application had apparently become abandoned for not responding to the Notice. I requested from the PTO that a copy of the Notice be sent to us, but to date have not received it.

knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Dated: January Z, 2002

Peter J Phillips





Dkt. 62164/JPW/PJP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Xin Qu & Judah Z. Weinberger

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MODIFICATION OF POLYMER RADIOISOTOPE CARRIERS

1185 Avenue of the Americas New York, New York 10036

January 7, 2002

Assistant Commissioner for Patents Washington, DC 20231

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SIR:

DECLARATION OF WENDELL DUNN

I Wendell Dunn, hereby declare:

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- 1. I am, and have been since April 1999, in charge of the docketing department at the firm of Cooper & Dunham LLP.
- 2. In accordance with procedures established at Cooper & Dunham LLP, incoming mail from the United States Patent and Trademark Office ("PTO") comes directly to me for review and to docket due dates for responses to PTO communications on the firm's docket record.
- 3. On December 5, 2001 I was advised that the PTO issued a Notice of Missing Parts ("Notice") in the above-identified application on November 29, 2000. The above-identified application has been assigned docket number "62164". I have

Applicants

Xin Qu & Judah Z. Weinberger

Serial No.

09/657,701

Filed

September 8, 2000

searched the docket records for this application and have found no record of having received the Notice. I have no record or recollection of having received the Notice, and I presume that no Notice was ever received by the firm.

4. A copy of the docket record for this application file where the Notice would have been entered had it been received and docketed is attached. This docket record does not contain any reference to the Notice, or any date for a response to the Notice.

knowledge are true and that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Date: January $\frac{7}{2}$, 2002

Wendell Dunr

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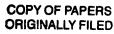
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0575 Xin Qu & Judah Z. Weinberger

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January 7, 2002

SURFACES AS RADIOISOTOPE CARRIERS; Serial No. 09/657,701, of Xin Qu And Judah Z. Weinberger; For: MODIFICATION OF POLYMER REVIVE including Declarations of Peter J. Phillips and Wendell Dunn; Application OFFICE COMMUNICATION, OR IN THE ALTERNATIVE, PETITION TO APPLICATION IN VIEW OF NON RECEIPT OF PATENT & TRADEMARK January 7, 2002. filed on September 8, 2000; including a Certificate of Mailing dated REQUEST FOR RESETTING TIME PERIOD FOR RESPONSE & REVIVAL OF

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Client _

January 7, 2002

Applicant Xin Qu & Judah Z. Weinberger

_File No. _

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description and returning lous	January 7, 2002.	filed on September 8, 2000; including a Certificate of Mailing dated	SURFACES AS RADIOISOTOPE CARRIERS; Serial No. 09/657,701,	of Xin Qu And Judah Z. Weinberger; For: MODIFICATION OF POLYMER	REVIVE including Declarations of Peter J. Phillips and Wendell Dunn; Application	OFFICE COMMUNICATION, OR IN THE ALTER PRINCE, PETITION TO	APPLICATION IN VIEW OF NON RECEIPT OF ATTENT & TRADEMARK	REQUEST FOR RESETTING TIME PERIOD FOR RESPONSE & XVIVAL OF
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Applicant	Xin Qu	& Judah Z. We	inberger			
Client	- 0575 -	08875	File No.	62164	Atty	JPW/PJP
		ber 8, 2000				

Kindly acknowledge receipt of the accompanying

United States Patent Application of Xin Qu And Judah Z. Weinberger MODIFICATION OF POLYMER SURFACES AS RADIOISOTOPE CARRIERS; consisting of 3-page Request Transmittal (in triplicate), (22) pages of drawings, a check in the amount of \$857 and an Express Mail Certificate of mailing bearing label no. EL 054 467 290 US dated September 8, 2000.

Application	Xin Qu & Judah Z. Weinberger 0575File No	62164 Atty.	JPW/PJP
Client	September 8, 2000	- eccompanying	

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